

THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

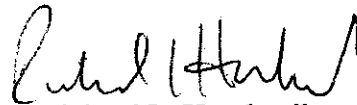
04 NOV -9 PM 12:37

ROBERT FERRELL : Case No. C-1-02-190
Plaintiff, : Magistrate Judge Sherman
vs. : Plaintiff's Motion In
LAKOTA SCHOOL DISTRICT : Limine
Defendant. :

: : : : : : :

MOTION

The Plaintiff moves to exclude most of Defendant's exhibit A.



Richard L. Hurchanik
Supreme Court No. 0017443
Counsel for Plaintiff
110 North Third Street
Hamilton, Ohio 45011
(513) 867-1717

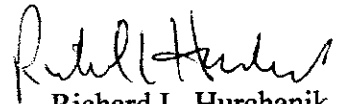
MEMORANDUM

Defendant's Exhibit A is an entire union contract to which the Plaintiff was not yet "a party to". The only part of the contract relevant to the case was the pay schedule. (Plaintiff's exhibit 7 and 10.)

Most of the contract is not relevant. Evidence Rule 401, 402. The Defendant has not argued one page of the contract in argument to date. The Plaintiff has used the pay schedule to oppose summary judgment. The contract would confuse the jury. Evidence Rule 403.


Except for the pay schedules (Plaintiff's exhibit 7 and 10.) Defendant's Exhibit A

must be excluded.


Richard L. Hurchanik

CERTIFICATION OF SERVICE

I hereby certify that a copy of the above was mailed to Thomas Green, 110 North
Main Street, Suite 950, Dayton, Ohio 45402 this 9 day of November, 2004.


Richard L. Hurchanik